

PATENT APPLICATION FEE DETERMINATION RECORD
Effective January 1, 2003

Application or Docket Number

~~481-0022-1P~~
10675852

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS	23	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	23 minus 20 =	3
INDEPENDENT CLAIMS	4 minus 3 =	1
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	23	23	0
	Independent	4	4	0
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

1 12 17 20

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	22	23	1
	Independent	5	4	1
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total			
	Independent			
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	375.00
X\$ 9=	
X42=	
+140=	
TOTAL	

RATE	FEE
BASIC FEE	750.00
X\$18=	54
X84=	84
+280=	
TOTAL	84

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	ADDI-TIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL	

RATE	ADDI-TIONAL FEE
X\$18=	0
X84=	0
+280=	
TOTAL	0

RATE	ADDI-TIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL	

RATE	ADDI-TIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL	

RATE	ADDI-TIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL	

RATE	ADDI-TIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/675,852)
In re application of: Jacqueline HEARD, *et al.*)
Filed: 30 September, 2003)
Art Unit: 1638)
Examiner: David H. Kruse)
Docket No. MBI-0022CIP)
Customer No. 47550)

RECEIVED
CENTRAL FAX CENTER
JUL 31 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT AND
SECOND PRELIMINARY AMENDMENT

Sir:

In response to the Restriction Requirement of June 29, 2006, please amend the above-identified application as follows. This response is being filed on the Monday following the one-month anniversary of the Restriction Requirement, and is thus timely filed.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 8 of this paper.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to (703) 872-9306 at the United States Patent and Trademark Office on July 31, 2006.

Typed or Printed Name: Jeffrey M. Libby

Signature: 

JUL 31 2006 3:47PM

MENDEL-BIOTECHNOLOGY

NO. 096 P. 11

Application No. 10/675,852
Second Preliminary Amendment dated July 31, 2006
Reply to Restriction Requirement

RECEIVED
CENTRAL FAX CENTER
JUL 31 2006

REMARKS

In response to the pending restriction requirement, Applicants elect Invention I, original Claims 1-19, drawn to a transgenic plant and methods of making, classified in class 800, subclass 278, for example.

Support for abiotic stresses selected from the group consisting cold, salt, mannitol, and water deprivation may be found, for example, on page 92, lines 17 and 25-26. Support for altered flowering time, including early flowering time and delayed flowering time may be found, for example, on page 9, line 14, and page 95, line 7 through page 96, line 20.


Applicants believe that no new matter is added by any of these amendments to the claims. Entry of these amendments is respectfully requested.

CONCLUSION

Applicants believe that no additional fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Mendel Biotechnology, Inc. Deposit Account No. 50-1025.

Respectfully submitted,
MENDEL BIOTECHNOLOGY, INC.

Date: July 31, 2006


Jeffrey M. Libby, Ph.D.
Reg. No. 48,251

21375 Cabot Boulevard
Hayward, California 94545
Phone: (510) 259-6120
Fax: (510) 264-0254

JML/jml
File: MBI-0022CIP.SecondPrelimAmend.doc